

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John A. Dyach et al.

Title: TRENDING MEASUREMENT OF CARDIAC RESYNCHRONIZATION THERAPY

Docket No.: 279.663US1

Serial No.: 10/730,760

Filed: December 8, 2003

Due Date: N/A

Examiner: Unknown

Group Art Unit: 3764



MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Communication Concerning Related Applications (2 pgs.).
- An Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 2 cited documents.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

By: Marvin L. Beekman
Atty: Marvin L. Beekman
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 26 day of October, 2004.

Name

JAMES KAWYSIK

Signature

James Kawysik

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)

S/N 10/730,760

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John A. Dyjach et al.

Examiner: Unknown

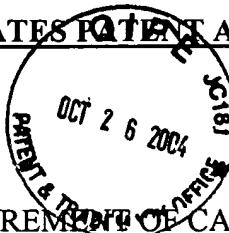
Serial No.: 10/730,760

Group Art Unit: 3764

Filed: December 8, 2003

Docket: 279.663US1

Title: TRENDING MEASUREMENT OF CARDIAC RESYNCHRONIZATION
THERAPY



COMMUNICATION CONCERNING RELATED APPLICATIONS

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/991522	November	279.400US1	TRIGGERED STORAGE OF
2003/0097155	20, 2001		DIAGNOSTIC DATA ASSOCIATED
A1			WITH COMPROMISED
			RESYNCHRONIZATION THERAPY

Respectfully submitted,

JOHN A. DYJACH ET AL.

By Applicants' Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6960

Date 10-19-04

By

Marvin L. Beekman
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20TH day of October /2004.

JAMES KANYUSIK
Name

James Kanyusik
Signature

S/N 10/730,760



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John A. Dyjach et al. Examiner: Unknown
Serial No.: 10/730,760 Group Art Unit: 3764
Filed: December 08, 2003 Docket: 279.663US1
Title: TRENDING MEASUREMENT OF CARDIAC RESYNCHRONIZATION
THERAPY

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. § 1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No :10/730,760

Filing Date: December 08, 2003

Title: TRENDED MEASUREMENT OF CARDIAC RESYNCHRONIZATION THERAPY

Page 2
Dkt: 279.663US1

The present application is a U.S. national patent application filed after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

JOHN A. DYJACH ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6960

Date 10-19-04

By Marvin L. Beekman

Marvin L. Beekman

Reg. No. 38,377

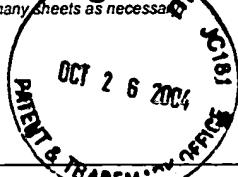
CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of October, 2004.

JAMES KAYESEK
Name

James Kaysik
Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(Use as many sheets as necessary)</small>		Application Number 10/730,760 Filing Date December 8, 2003 First Named Inventor Dyjach, John Group Art Unit 3764 Examiner Name Unknown				
Sheet 1 of 2		Attorney Docket No: 279.663US1				



US PATENT DOCUMENTS						
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2002/0082509 A1	06/27/2002	Vanderlinde, Scott , et al.	600	510	12/26/2000
	US-2003/0060851 A1	03/27/2003	Kramer, A. P., et al.	607	9	09/27/2001
	US-2003/0097155 A1	05/22/2003	Stahmann, Jeffrey E., et al.	607	9	11/20/2001
	US-2004/0106960 A1	06/03/2004	Siejko, Krzysztof Z., et al.	607	17	12/02/2002
	US-2004/0122297 A1	06/24/2004	Stahmann, Jeffrey E., et al.	600	300	12/18/2002
	US-2004/0122484 A1	06/24/2004	Hatlestad, John , et al.	607	60	12/18/2002
	US-2004/0122485 A1	06/24/2004	Stahmann, Jeffrey E., et al.	607	60	12/18/2002
	US-2004/0122486 A1	06/24/2004	Stahmann, Jeffrey E., et al.	607	60	12/18/2002
	US-5,271,392	12/21/1993	Ferek-Petric, B.	6907	14	01/27/1992
	US-5,334,222	08/02/1994	Salo, Rodney W., et al.	607	17	11/03/1992
	US-5,427,112	06/27/1995	Noren, K. , et al.	128	702	04/23/1993
	US-5,447,519	09/05/1995	Peterson, D. K.	607	5	03/19/1994
	US-5,518,001	05/21/1996	Snell, J. D.	128	697	06/17/1994
	US-5,540,727	07/30/1996	Tockman, Bruce A., et al.	607	18	11/15/1994
	US-5,544,661	08/13/1996	Davis, C. L., et al.	128	700	01/13/1994
	US-5,633,910	05/27/1997	Cohen, K. H.	379	38	09/13/1994
	US-5,749,900	05/12/1998	Schroepel, Edward A., et al.	607	4	12/11/1995
	US-5,792,195	08/11/1998	Carlson, G. M., et al.	607	17	12/16/1996
	US-5,836,987	11/17/1998	Baumann, Lawrence S., et al.	607	17	03/12/1997
	US-5,921,938	07/13/1999	Aoyama, D. D., et al.	600	509	10/09/1997
	US-5,935,081	08/10/1999	Kadhiresan, V. A.	600	513	01/20/1998

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				
		Complete if Known				
		Application Number		10/730,760		
		Filing Date		December 8, 2003		
		First Named Inventor		Dyjach, John		
		Group Art Unit		3764		
		Examiner Name		Unknown		
Sheet 2 of 2		Attorney Docket No: 279.663US1				

	US-5,974,340	10/26/1999	Kadhiresan, V. A.	607	18	04/29/1997
	US-5,987,352	11/16/1999	Klein, G. J., et al.	600	509	03/03/1998
	US-6,058,329	05/02/2000	Salo, R. W., et al.	607	17	05/07/1999
	US-6,119,040	09/12/2000	Chirife, R.	607	18	06/29/1998
	US-6,256,536	07/03/2001	Kramer, A. P.	607	9	05/25/1999
	US-6,409,675	06/25/2002	Turcott, Robert	600	508	11/10/1999
	US-6,438,421	08/20/2002	Stahmann, J. E., et al.	607	9	12/26/2000
	US-6,480,742	11/12/2002	Stahmann, Jeffrey E., et al.	607	27	12/26/2000
	US-6,668,194	12/23/2003	VanHout, W. L.	607	9	07/16/2001

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
	WO-97/43003	05/10/1996	Prutchi, David , et al.	A61N	1/372	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		SIEJKO, KRZYSZTOF Z., "A THIRD HEART SOUND ACTIVITY INDEX FOR HEART FAILURE MONITORING", Application Serial No. 10/746,874, Filed December 24, 2003 Attorney Docket No. 279.671US1, 41 pgs.	

EXAMINER

DATE CONSIDERED